



House Bill No. 6642

Public Act No. 11-159

**AN ACT CONCERNING THE RECOMMENDATIONS OF THE
NATIONAL PRISON RAPE ELIMINATION COMMISSION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2012*) (a) Any agency of the state or any political subdivision of the state that incarcerates or detains adult offenders, including persons detained for immigration violations, shall, within available appropriations, adopt and comply with the applicable standards recommended by the National Prison Rape Elimination Commission for the prevention, detection and monitoring of, and response to, sexual abuse in adult prisons and jails, community correction facilities and lockups.

(b) Such standards include, but are not limited to:

- (1) Zero tolerance of sexual abuse;
- (2) Contracting with other entities for the confinement of inmates or detainees;
- (3) Inmate or detainee supervision;
- (4) Heightened protection for vulnerable detainees;
- (5) Limits to cross-gender viewing and searches;

House Bill No. 6642

- (6) Accommodating inmates or detainees with special needs;
- (7) Hiring and promotion decisions;
- (8) Assessment and use of monitoring technology;
- (9) Evidence protocol and forensic medical examinations;
- (10) Agreements with outside public entities and community service providers;
- (11) Agreements with outside law enforcement agencies;
- (12) Agreements with the prosecuting authority;
- (13) Employee training;
- (14) Volunteer and contractor training;
- (15) Inmate education;
- (16) Detainee, attorney, contractor and inmate worker notification of agency's zero-tolerance policy;
- (17) Specialized training: Investigations;
- (18) Specialized training: Medical and mental health care;
- (19) Screening for risk of victimization and abusiveness;
- (20) Use of screening information;
- (21) Inmate or detainee reporting;
- (22) Exhaustion of administrative remedies;
- (23) Inmate access to outside confidential support services or legal representation;

House Bill No. 6642

- (24) Third-party reporting;
- (25) Staff and facility or agency head reporting duties;
- (26) Reporting to other confinement facilities;
- (27) Staff first responder duties;
- (28) Coordinated response;
- (29) Agency protection against retaliation;
- (30) Duty to investigate;
- (31) Criminal and administrative agency investigations;
- (32) Evidence standard for administrative investigations;
- (33) Disciplinary sanctions for staff;
- (34) Disciplinary sanctions for inmates;
- (35) Referrals for prosecution for detainee-on-detainee sexual abuse;
- (36) Medical and mental health screenings: History of sexual abuse;
- (37) Access to emergency medical and mental health services;
- (38) Ongoing medical and mental health care for sexual abuse victims and abusers;
- (39) Sexual abuse incident reviews;
- (40) Data collection;
- (41) Data review for corrective action;
- (42) Data storage, publication, and destruction; and

House Bill No. 6642

(43) Audits of standards.

Approved July 8, 2011